

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE: GENERIC PHARMACEUTICALS  
PRICING ANTITRUST LITIGATION

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: MDL NO. 2724  
: 16-MD-2724  
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: HON. CYNTHIA M. RUFE  
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THIS DOCUMENT RELATES TO:

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: Civil Action No.: 19-cv-2407-CMR  
:

*State of Connecticut, et al., v.*  
*Teva Pharmaceuticals USA Inc., et al.*

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**DEFENDANT DAVID REKENTHALER'S MOTION TO  
DISMISS THE PLAINTIFF STATES' AMENDED COMPLAINT**

Defendant David Rekenthaler, by and through his undersigned counsel, hereby moves this Court for the entry of an order dismissing the claims against him in the Plaintiff States' Amended Complaint (Dkt. No. 106, Counts 32 and 35) pursuant to Federal Rule of Civil Procedure 12(b)(6) on the grounds that (1) the Plaintiff States lack standing to bring their federal law claims, (2) the state law claims fail for a variety of reasons, (3) the Plaintiff States have engaged in impermissible claim splitting, and (4) the Sherman Act claims are barred by the applicable statute of limitations. The grounds for this Motion are set forth in (1) Defendants' Memorandum of Law in Support of Their Joint Motion to Dismiss Plaintiffs' Federal-Law Claims for Lack of Standing, (2) Defendants' Memorandum of Law in Support of Their Joint Motion to Dismiss Plaintiffs' State-Law Claims, (3) Certain Defendants' Memorandum of Law in Support of Motion to Dismiss, and (4) Defendant David Rekenthaler's Memorandum of Law in Support of His Motion to Dismiss the Plaintiff States' Amended Complaint.

Dated: November 2, 2020

Respectfully submitted,

/s/ Thomas H. Lee, II

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